

No. 9/5/84-6 Lab./6643.—In pursuance of the provisions of section 17 of the Industrial Disputes Act, 1947 (Central Act No. XIV of 1947), the Governor of Haryana is pleased to publish the following award of Presiding Officer, Labour Court, Faridabad in respect of the dispute between the workwoman and the management of M/s. Market Committee, Heli Mandi Patodi, District Gurgaon.

IN THE COURT SHRI A. N. SINGAL, PRESIDING OFFICER, LAECUR COURT, FARIDABAD

Reference No. 16 of 1985

Between

SHRIMATI KRISHNA DEVI, WORKMAN AND THE RESPONDENT-MANAGEMENT OF, M/S. MARKET COMMITTEE, HELI MANDI, PATODI, DISTRICT GURGAON

Present:—

Workman with Sori Mahavir Tyagi.

None, for the respondent-management.

AWARD

This Industrial dispute between the workwoman Shrimati Krishna Devi, and the respondent-management of M/s Market Committee, Heli Mandi, Patodi District Gurgaon, has been referred to this Court by the Hon'ble Governor of Haryana, —vide his order No. ID/GGN/74-84/5907-12, dated 15th February, 1985, under section 10(ii)(c) of the Industrial Disputes Act, 1947 for adjudication. The terms of the reference are:—

Whether the termination of services of Shrimati Krishna Devi was justified and in order ? If not, to what relief is she entitled ?

According to the demand notice, the workwoman was appointed on 1st April, 1981. Her services were illegally terminated on 11th April, 1983. She had prayed for reinstatement with continuity of service and with full back wages.

The management had appeared, but none appeared for the management on 26th April, 1985. No written statement was filed. Hence the management was proceeded *ex parte*.

In *ex parte* evidence the workman appeared as WW-1 and supported his averments. She was appointed on 11th April, 1981. She was terminated after one year and again employed and transferred to Patodi. She was again terminated on 1st April, 1981. She was not given any compensation when she was terminated. There is no rebuttal of this evidence. I, therefore, find that she had completed more than one year of service at the time of termination. The provisions of Section 25-F of the Industrial Disputes Act, 1947 were not complied with while terminating her. Hence the order of termination was illegal and unjustified. So she is entitled reinstatement with continuity of service and with full back wages.

Dated the 27th July, 1985.

R. N. SINGAL,

Presiding Officer,
Labour Court, Faridabad.

Endorsement No. 2198, dated 31st July, 1985.

Forwarded (four copies) to the Commissioner and Secretary to Government, Haryana, Labour and Employment Department, Chandigarh as required under section 15 of the Industrial Disputes Act, 1947.

R. N. SINGAL,

Presiding Officer,
Labour Court, Faridabad.